

REMARKS

Claims 1, 7 and 8 are pending in this application. By this Amendment, claim 1 is amended and claim 2 is cancelled. Support for the amendments to claim 1 can be found, for example, in Examples 2 and 3 of the instant specification. No new matter is added. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

Rejections Under 35 U.S.C. §103(a)

The Office Action rejects claims 1, 2, 7 and 8 under 35 U.S.C. §103(a) over U.S. Patent No. 6,139,940 to Iwamoto et al. ("Iwamoto") in view of EP 0 818 322 A1 to Asano et al. ("Asano"). Claim 2 has been cancelled, thus rendering the rejection moot as to that claim. As to the remaining claims, Applicants respectfully traverse the rejection.

Claim 1 recites "[a] backprinting recording medium, comprising ... a porous ink-permeable layer ... produced by dispersing a filler in a binder resin, wherein: the binder resin includes a first polyester resin and a second polyester resin, the resins being present in a ratio of from 1:1 to 7:3 of the first polyester resin to the second polyester resin; the first polyester resin has a glass transition temperature of from 35°C to 80°C, and a Shore D hardness at 25°C of from 60 to 80; the second polyester resin has a glass transition temperature of less than 35°C, and a Shore D hardness at 25°C of less than 60; and the binder resin has a glass transition temperature of from 23.1°C to 41.2°C, and a Shore D hardness at 25°C of from 50 to 62." Iwamoto and Asano do not teach or suggest such a backprinting recording medium.

The Office Action asserts that Iwamoto teaches an ink recording sheet including a substrate, an ink absorbing layer on the substrate and an ink permeable layer made of resin on the ink absorbing layer. The Office Action concedes that Iwamoto does not disclose a resin having a glass transition temperature as recited in claim 1. However, the Office Action asserts that one of ordinary skill in the art would have relied on Asano's disclosure an ink

permeable layer including a resin having a glass transition of 40°C or more. Notwithstanding these assertions, Iwamoto and Asano do not teach or suggest a backprinting recording medium comprising a porous ink-permeable layer formed from a binder resin including a first polyester resin and a second polyester resin, wherein the binder resin and its constituent polyester resins have the properties recited in claim 1.

Iwamoto discloses an ink impermeable layer formed from a hydrophobic resin.

C2/L33-36. Iwamoto further discloses that the hydrophobic resin can be a polyester resin.

C2/L39-40. However, Iwamoto does not disclose that the hydrophobic resin could or should be a combination of first and second polyester resins, much less that (a) the polyester resins be present in a ratio of from 1:1 to 7:3 of the first polyester resin to the second polyester resin; (b) the first polyester resin have a glass transition temperature of from 35°C to 80°C, and a Shore D hardness at 25°C of from 60 to 80; and (c) the second polyester resin have a glass transition temperature of less than 35°C, and a Shore D hardness at 25°C of less than 60. As Iwamoto's ink impermeable layer does not include a binder resin having two constituent polyester resins having the above properties and being present in the above amount, Iwamoto does not teach or suggest each and every feature of claim 1.

Asano does not remedy the deficiencies of Iwamoto. The gloss layer of Asano is formed of a polymer resin. P5/L43-44. Asano does not suggest that polyesters, in particular, should be used to form the gloss layer, but the Office Action relies on Asano for its disclosure that the polymer resin of the gloss layer should have a glass transition temperature of at least 40°C. P6/L36-37. Notwithstanding this disclosure, Asano, like Iwamoto, fails to teach or even remotely suggest that an ink permeable layer should be formed from a binder resin including a first polyester resin and a second polyester resin, the constituent polyester resins having the properties and being present in the amount recited in claim 1. As neither of the references teaches or suggests an ink permeable layer formed from a binder resin including a

first polyester resin and a second polyester resin, as recited in claim 1, the combination of references fails to teach or suggest the features of claim 1.

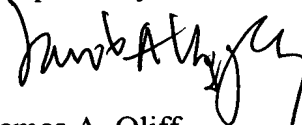
Claim 1 would not have been rendered obvious by Iwamoto and Asano. Claims 2, 7 and 8 depend from claim 1, and thus also would not have been rendered obvious by the cited references. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 7 and 8 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Jacob A. Doughty
Registration No. 46,671

JAO:JAD/hs

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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